

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

Petition of Allen Neumann and Seven Others for a Determination of the Adequacy of Warning Devices at the Grade Crossing of the Wisconsin Central Ltd. (**Now Wisconsin & Southern Railroad Co.**) Tracks with Fredonia Avenue (CTH 'H') in the Village of Fredonia, Ozaukee County

9164-RX-149

SUPPLEMENTAL ORDER

On February 16, 2001, the Office of the Commissioner of Railroads (OCR) issued an order that required the installation of 8" LED lights on the existing signal equipment at the public crossing of the Wisconsin Central Ltd. (WCL) tracks with Fredonia Avenue (CTH 'H') in the Village of Fredonia, Ozaukee County by December 31, 2004 (crossing no. 387 140X). The deadline was later extended to June 30, 2005.

Subsequent to the original order this line was purchased by the Wisconsin & Southern Railroad Co. (WSOR). The order is being reissued to the WSOR.

THEREFORE, IT IS ORDERED,

1. That the **Wisconsin & Southern Railroad Co.** shall install and maintain 8" or 12" LED signals on the existing signal equipment with appropriate appurtenances in accordance with such plans as are filed with and approved by the Office of the Commissioner of Railroads at the crossing of its tracks with **Fredonia Avenue (CTH 'H')** at-grade in the Village of Fredonia, Ozaukee County by **June 30, 2005** (Crossing No. 387 140X).

2. That the **Wisconsin & Southern Railroad Co.** shall submit to the Office of the Commissioner of Railroads signal and circuit plans with the cost estimate of its proposed installation and upon completion of the signal project, a detailed statement of the actual cost to the Office and to the Wisconsin Department of Transportation.

3. That the signal installation work herein ordered shall not begin until the district office of the Wisconsin Department of Transportation informs the railroad that they may start such work and such start notice will not be issued until appropriate federal aid or other funding arrangements have been assured. The cost of the new project initiated before the start notice will not be reimbursed with public funds and shall be the responsibility of the railroad.

Dated at Madison, Wisconsin, _____.

By the Office of the Commissioner of Railroads.

Rodney W. Kreunen
Commissioner of Railroads